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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
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11 SECURITIES AND EXCHANGE
12 COMMISSION,

13 Plaintiff,

14 v.

15 PETER H. POCKLINGTON,
16 LANTSON E. ELDRED, TERRENCE
17 J. WALTON, YOLANDA C.
18 VELAZQUEZ a/k/a LANA
19 VELAZQUEZ a/k/a LANA PULEO,
20 VANESSA PULEO, ROBERT A.
21 VANETTEN, NOVA OCULUS
22 PARTNERS, LLC, f/k/a THE EYE
23 MACHINE, LLC, and AMC
24 HOLDINGS, LLC,
25

26 Defendants.

27 EVA S. POCKLINGTON, DTR
28 HOLDINGS, LLC, COBRA
CHEMICAL, LLC, and GOLD STAR
RESOURCES, LLC,

Relief Defendants.

Case No. 5:18-cv-00701-FLA (SPx)

**FINAL JUDGMENT AS TO
DEFENDANT AMC HOLDINGS, LLC
[DKT. 177]**

FINAL JUDGMENT AS TO AMC HOLDINGS, LLC

The Securities and Exchange Commission (the “Commission”) having filed a Complaint and Defendant AMC Holdings, LLC (“Defendant”) having entered a general appearance; consented to the court’s jurisdiction over Defendant and the subject matter of this action; consented to entry of this Final Judgment without admitting or denying the allegations of the Complaint (except as to jurisdiction and except as otherwise provided herein); waived findings of fact and conclusions of law; and waived any right to appeal from this Final Judgment:

I.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant is permanently restrained and enjoined from violating, directly or indirectly, Section 10(b) of the Securities Exchange Act of 1934 (the “Exchange Act”) [15 U.S.C. § 78j(b)] and Rule 10b-5 (a) and (c) promulgated thereunder [17 C.F.R. § 240.10b-5(a) and (c)], by using any means or instrumentality of interstate commerce, or of the mails, or of any facility of any national securities exchange, in connection with the purchase or sale of any security:

- (a) to employ any device, scheme, or artifice to defraud; or
- (c) to engage in any act, practice, or course of business which operates or would operate as a fraud or deceit upon any person.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also binds the following who receive actual notice of this Final Judgment by personal service or otherwise: (a) Defendant’s officers, agents, servants, employees, and attorneys; and (b) other persons in active concert or participation with Defendant or with anyone described in (a).

II.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant is permanently restrained and enjoined from violating Section 17(a) of the

1 Securities Act of 1933 (the “Securities Act”) [15 U.S.C. § 77q(a)] in the offer or sale
 2 of any security by the use of any means or instruments of transportation or
 3 communication in interstate commerce or by use of the mails, directly or indirectly:

4 (a) to employ any device, scheme, or artifice to defraud;

5 (b) to obtain money or property by means of any untrue statement of a
 6 material fact or any omission of a material fact necessary in order to
 7 make the statements made, in light of the circumstances under which
 8 they were made, not misleading; or

9 (c) to engage in any transaction, practice, or course of business which
 10 operates or would operate as a fraud or deceit upon the purchaser.

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as
 12 provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also
 13 binds the following who receive actual notice of this Final Judgment by personal
 14 service or otherwise: (a) Defendant’s officers, agents, servants, employees, and
 15 attorneys; and (b) other persons in active concert or participation with Defendant or
 16 with anyone described in (a).

17 **III.**

18 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that
 19 Defendant shall pay a civil penalty in the amount of \$543,213.00 pursuant to Section
 20 20(d) of the Securities Act 15 U.S.C. § 77t(d)] and Section 21(d)(3) of the Exchange
 21 Act [15 U.S.C. § 78u(d)(3). Defendant shall satisfy this obligation by paying
 22 \$543,213.00 to the Securities and Exchange Commission within 30 days after entry
 23 of this Final Judgment.

24 Defendant may transmit payment electronically to the Commission, which will
 25 provide detailed ACH transfer/Fedwire instructions upon request. Payment may also
 26 be made directly from a bank account via Pay.gov through the SEC website at
 27 <http://www.sec.gov/about/offices/ofm.htm>. Defendant may also pay by certified
 28 check, bank cashier’s check, or United States postal money order payable to the

1 Securities and Exchange Commission, which shall be delivered or mailed to:

2 Enterprise Services Center
3 Accounts Receivable Branch
4 6500 South MacArthur Boulevard
5 Oklahoma City, OK 73169

6 and shall be accompanied by a letter identifying the case title, civil action number,
7 and name of this court; AMC Holdings, LLC as a defendant in this action; and
8 specifying that payment is made pursuant to this Final Judgment.

9 Defendant shall simultaneously transmit photocopies of evidence of payment
10 and case identifying information to the Commission's counsel in this action. By
11 making this payment, Defendant relinquishes all legal and equitable right, title, and
12 interest in such funds and no part of the funds shall be returned to Defendant.

13 The Commission may enforce the court's judgment for penalties by the use of
14 all collection procedures authorized by law, including the Federal Debt Collection
15 Procedures Act, 28 U.S.C. § 3001 *et seq.*, and moving for civil contempt for the
16 violation of any court orders issued in this action. Defendant shall pay post judgment
17 interest on any amounts due after 30 days of the entry of this Final Judgment pursuant
18 to 28 U.S.C. § 1961. The Commission shall hold the funds, together with any interest
19 and income earned thereon (collectively, the "Fund"), pending further order of the
20 court.

21 The Commission may propose a plan to distribute the Fund subject to the
22 court's approval. Such a plan may provide that the Fund shall be distributed pursuant
23 to the Fair Fund provisions of Section 308(a) of the Sarbanes-Oxley Act of 2002.
24 The court shall retain jurisdiction over the administration of any distribution of the
25 Fund, and the Fund may only be disbursed pursuant to an Order of the court.


26 Regardless of whether any such Fair Fund distribution is made, amounts
27 ordered to be paid as civil penalties pursuant to this Judgment shall be treated as
28 penalties paid to the government for all purposes, including all tax purposes. To
preserve the deterrent effect of the civil penalty, Defendant shall not, after offset or

1 reduction of any award of compensatory damages in any Related Investor Action
2 based on Defendant's payment of disgorgement in this action, argue that it is entitled
3 to, nor shall it further benefit by, offset or reduction of such compensatory damages
4 award by the amount of any part of Defendant's payment of a civil penalty in this
5 action ("Penalty Offset"). If the court in any Related Investor Action grants such a
6 Penalty Offset, Defendant shall, within 30 days after entry of a final order granting
7 the Penalty Offset, notify the Commission's counsel in this action and pay the amount
8 of the Penalty Offset to the United States Treasury or to a Fair Fund, as the
9 Commission directs. Such a payment shall not be deemed an additional civil penalty
10 and shall not be deemed to change the amount of the civil penalty imposed in this
11 Judgment. For purposes of this paragraph, a "Related Investor Action" means a
12 private damages action brought against Defendant by or on behalf of one or more
13 investors based on substantially the same facts as alleged in the Complaint in this
14 action.

15 **IV.**

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this court
17 shall retain jurisdiction of this matter for the purposes of enforcing the terms of this
18 Final Judgment.

19 Dated: May 9, 2022

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21 FERNANDO L. AENLLE-ROCHA
22 United States District Judge
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